Government of Kerala
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GOVERNMENT OF KERALA

Food (D) Department

NOTIFICATION

No. G. O. (Ms) 39/80/Food. *Dated, Trivandrum, 21st August 1980.*

S. R. O. No. 760/80.—In exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the orders of the Government of India in the Ministry of Industry and Civil Supplies (Department of Civil Supplies & Co-operation) Numbers S. O. 681 (E) and S. O. 682 (E) dated the 30th November, 1974 published in the Gazette of India Extraordinary Part II section 3, sub-section (ii), dated the 30th November, 1974, the Government of Kerala hereby make the following Order, further to amend the Kerala Motor Spirit and High Speed Diesel Oil (Maintenance and Regulation of Supplies) Order, 1979, namely:—

ORDER

1. *Short title.*—This Order may be called the Kerala Motor Spirit and High Speed Diesel Oil (Maintenance and Regulation of Supplies) Amendment Order, 1980.

2. *Insertion of new clause 7A.*—In the Kerala Motor Spirit and High Speed Diesel Oil (Maintenance and Regulation of Supplies)

33/3330/MC.

Order, 1979, after clause 7, the following clause shall be inserted, namely:—

"7A. *Power to exempt.*—The Commissioner of Civil Supplies may, if he considers it necessary so to do in the public interest, by order in writing exempt any institution or a Corporation or other bulk consumer on their request, from the application of the provisions of clauses 6 and 7 subject to such conditions as may be specified in the order."

Explanation:—For the purpose of this clause bulk consumer means a person receiving petroleum products direct from the Oil Companies and who in the nature of his business has to hold stocks of petroleum products in excess of such limit as may be fixed by the Commissioner.

By order of the Governor,

T. MADHAVA MENON,

Special Secretary to Government.

Explanatory Note

(This is not part of the Notification but is intended to indicate its general purport).

Clause 6 of the Kerala Motor Spirit and High Speed Diesel Oil (Maintenance and Regulation of Supplies) Order, 1979 provides that a person other than a dealer shall not have in his ownership, possession or control petroleum products in excess of the maximum limit as may be prescribed by the Commissioner of Civil Supplies by notification in the Gazette, unless he has a permit from the Commissioner of Civil Supplies or from an Officer authorised by him in this behalf, to hold stocks of petroleum products in excess of the maximum limit, provided that such limits shall not apply to petroleum products in a tank fixed permanently to a vehicle as specified in clause 7 of the said Order. Clause 7 makes it unlawful for any dealer to supply petrol, or for any person to receive petroleum products, except into a tank fixed permanently to a vehicle and which has been fitted to the vehicle and supplied by the manufacturer at the time of sale of the vehicle, unless the person receiving the petroleum product has a permit to receive the petroleum product issued by the Commissioner of Civil Supplies or by an officer authorised by him. Permits are issued by the Commissioner of Civil Supplies or the officers authorised by him

under the above provisions to purchase and stock a limited quantity of petroleum products for a specified period. There are institutions/Corporations/individuals who receive and store petroleum products, for their own use, direct from the Oil Companies, in the consumer pumps installed by the Oil Companies in their premises. It is considered necessary to empower the Commissioner of Civil Supplies to exempt such bulk consumers on their request from the provisions of clause 6 and 7 of the Kerala Motor Spirit and High Speed Diesel Oil (Maintenance and Regulation of Supplies) Order, 1979 subject to such conditions as may be specified in the order so as to enable them to hold such stocks of petroleum products as the requirements in their business may warrant. This Order is intended to achieve the above object.

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